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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,737	08/10/2001	Fumio Tokutomi	212734US2	6661

22850 7590 04/07/2005

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ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/925,737	TOKUTOMI ET AL.	
	Examiner	Art Unit	
	Kyle M Pendergrass	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *11/06/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 27-34 are objected to because of the following informalities: "receives" should be changed to "receive." Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 22, 25 & 27-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 27-34, it is unclear as to what the excerpt noted below has to do with the claim information around it. Please clarify what the excerpt pertains to as it is confusing and makes the claim language difficult to follow. The excerpt in question follows:

> "...as a screen for providing the dealer information from a predetermined server through a network..."

Claim 22, 25, 28, 31, 33 & 35-38 recites the limitation "the storage purchase button." There is insufficient antecedent basis for this limitation in the claim. Note: Claims 25, & 35-38 are dependent on at least one of claims 22, 28, 31 & 33.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 & 27-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayward et al. (US 6 798 997).

Regarding claim 1, **Hayward et al. (US 6 798 997)** teach a print apparatus consumable purchase system *(column 1:lines 8-16)* comprising:

a print apparatus *(column 4:line 10 & fig 2, peripheral 10)* for printing on a print medium;

a display capable of displaying information concerning the print apparatus *(fig 3 & column 5:lines 24-39, display screen for print apparatus purchase system displays information concerning the peripheral 10)*;

and a controller for displaying a status screen *(figs 3 & 4, & column 5:lines 23-24 & 62-63, a display screen is used to display screen associated with the status of the peripheral 10)* for representing consumption degree of a consumable used with the print apparatus on the display *(fig 3 & column 5:lines 23-39, the display includes an "X" indicator to indicate a status condition in peripheral 10, wherein, column 5:lines 6-7, status conditions in peripheral 10 indicate a need for consumable replacement, which, column 8:lines 26-31, is based off of consumable level. In Specification, Applicant defines a consumption degree of a consumable as an "ink remaining amount." Therefore the indicator "X" taught by* ***Hayward et al.*** *and shown on the display in fig 3 represents an ink/toner remaining amount because it represents a low level)* and displaying at least a delivery purchase button *(fig 4, BUY NOW button)* for making a request for delivery purchase of the consumable in the status screen

(column 7:line 54 – column 8:line 12, BUY NOW button makes a request for consumable delivery purchase).

NOTE: Although not specifically mentioned, a controller is inherently included in the system taught by **Hayward et al.** Without a controller, the functions associated with display of information as outlined above would not be available in the print apparatus consumable purchase system. Therefore the teachings of **Hayward et al**. inherently included a controller as outline above.

Regarding claim 2, **Hayward et al. (US 6 798 997)** teach a print apparatus consumable purchase system *(column 1:lines 8-16)* comprising:

a print apparatus *(column 4:line 10 & fig 2, peripheral 10)* for printing on a print medium;

a display capable of displaying information concerning the print apparatus *(fig 3 & column 5:lines 24-39, display screen for print apparatus purchase system displays information concerning the peripheral 10)*;

and a controller for displaying a status screen *(figs 3 & 4, & column 5:lines 23-24 & 62-63, a display screen is used to display screen associated with the status of the peripheral 10)* for representing consumption degree of a consumable used with the print apparatus on the display *(fig 3 & column 5:lines 23-39, the display includes an "X" indicator to indicate a status condition in peripheral 10, wherein, column 5:lines 6-7, status conditions in peripheral 10 indicate a need for consumable replacement, which, column 8:lines 26-31, is based off of consumable level. In Specification, Applicant defines a consumption degree of a consumable as an "ink remaining amount." Therefore the indicator "X" taught by* ***Hayward et al.*** *and shown on the display in fig 3 represents an ink/toner remaining amount because it*

represents a low level) and displaying at least a store purchase button *(fig 4, BUY NOW button)* for calling dealer information concerning a dealer dealing in the consumable in the status screen *(column 7:line 54 – column 8:line 12, BUY NOW button makes a request for consumable delivery purchase. Column 8:lines 54-63, information for supply retailers is accessed and the user is prompted to chose)*.

NOTE: Although not specifically mentioned, a controller is inherently included in the system taught by **Hayward et al.** Without a controller, the functions associated with display of information as outlined above would not be available in the print apparatus consumable purchase system. Therefore the teachings of **Hayward et al**. inherently included a controller as outline above.

Regarding claim 3, **Hayward et al. (US 6 798 997)** teach a print apparatus consumable purchase system *(column 1:lines 8-16)* comprising:

a print apparatus *(column 4:line 10 & fig 2, peripheral 10)* for printing on a print medium;

a display capable of displaying information concerning the print apparatus *(fig 3 & column 5:lines 24-39, display screen for print apparatus purchase system displays information concerning the peripheral 10)*;

and a controller for displaying a status screen (figs 3 & 4, & column 5:lines 23-24 & 62-63, a display screen is used to display screen associated with the status of the peripheral 10) for representing consumption degree of a consumable used with the print apparatus on the display (fig 3 & column 5:lines 23-39, the display includes an "X" indicator to indicate a status condition in peripheral 10, wherein, column 5:lines 6-7, status conditions in peripheral 10 indicate a need for consumable replacement, which, column 8:lines 26-31, is based off of

consumable level. In Specification, Applicant defines a consumption degree of a consumable as an "ink remaining amount." Therefore the indicator "X" taught by **Hayward et al.** and shown on the display in fig 3 represents an ink/toner remaining amount because it represents a low level) and displaying in the status screen, an option calling button *(fig 3, status inquiry button)* for calling a plurality of options concerning the purchase mode of the consumable *(column 5:lines 63-64, when status inquiry button is selected, a status screen window appears, which, fig 4, displays BUY NOW and MAINTANENCE buttons that concern purchase modes of the consumable)* and for displaying one of the plurality of options *(fig 4 displays plurality of buttons: 1) BUY NOW, which, column 7:line 56 – column 8:line 12, enters a purchasing routine, and 2) MAINTENANCE, which, column 7:lines 37-53, \allows the user an option to do a diagnostic routine and then purchase the conditioned consumable)*.

NOTE: Although not specifically mentioned, a controller is inherently included in the system taught by **Hayward et al.** Without a controller, the functions associated with display of information as outlined above would not be available in the print apparatus consumable purchase system. Therefore the teachings of **Hayward et al**. inherently included a controller as outline above.

Regarding claim 4, **Hayward et al. (US 6 798 997)** teach a print apparatus consumable purchase system *(column 1:lines 8-16)* comprising:

a print apparatus *(column 4:line 10 & fig 2, peripheral 10)* for printing on a print medium;

a display capable of displaying information concerning the print apparatus *(fig 3 & column 5:lines 24-39, display screen for print apparatus purchase system displays information concerning the peripheral 10)*;

a controller for determining, based on remaining amount of a consumable used with the print apparatus, whether replacement of the consumable is necessary *(column 8:lines 26-45, ink level is monitored and a determination is made by the monitor module whether replacement is necessary by causing an indication of a status condition)*, wherein if it is determined that the replacement is necessary *(fig 3 & column 5:lines 23-29, a condition indication of an "X")*, displaying in the status screen, an option calling button *(fig 3, status inquiry button)* for calling a plurality of options concerning the purchase mode of the consumable *(column 5:lines 63-64, when status inquiry button is selected, a status screen window appears, which, fig 4, displays BUY NOW and MAINTANENCE buttons that concern purchase modes of the consumable)* and for displaying one of the plurality of options *(fig 4 displays plurality of buttons: 1) BUY NOW, which, column 7:line 56 – column 8:line 12, enters a purchasing routine, and 2) MAINTENANCE, which, column 7:lines 37-53, \allows the user an option to do a diagnostic routine and then purchase the conditioned consumable)*.

NOTE: Although not specifically mentioned, a controller is inherently included in the system taught by **Hayward et al.** Without a controller, the functions associated with display of

information as outlined above would not be available in the print apparatus consumable purchase system. Therefore the teachings of **Hayward et al.** inherently included a controller as outline above.

Regarding claim 5, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 4, wherein if it is determined that the replacement is necessary *(fig 3 & column 5:lines 23-29, a condition indication of an "X")*, the controller displays a status screen *(figs 3 & 4, & column 5:lines 23-24 & 62-63, a display screen is used to display screen associated with the status of the peripheral 10)* for representing consumption degree of a consumable used with the print apparatus on the display *(fig 3 & column 5:lines 23-39, the display includes an "X" indicator to indicate a status condition in peripheral 10, wherein, column 5:lines 6-7, status conditions in peripheral 10 indicate a need for consumable replacement, which, column 8:lines 26-31, is based off of consumable level. In Specification, Applicant defines a consumption degree of a consumable as an "ink remaining amount." Therefore the indicator "X" taught by* ***Hayward et al.*** *and shown on the display in fig 3 represents an ink/toner remaining amount because it represents a low level)* and displays an option calling button *(fig 3, status inquiry button)* for calling a plurality of options concerning the purchase mode of the consumable *(column 5:lines 63-64, when status inquiry button is selected, a status screen window appears, which, fig 4, displays BUY NOW and MAINTANENCE buttons that concern purchase modes of the consumable)* and for displaying one of the plurality of options *(fig 4 displays plurality of buttons: 1) BUY NOW, which, column 7:line 56 – column 8:line 12, enters a purchasing routine, and 2) MAINTENANCE, which, column 7:lines 37-53, \allows the user an option to do a diagnostic routine and then purchase the conditioned consumable).*

Regarding claim 6, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 5, wherein the controller determines that the replacement is necessary when the remaining amount of the consumable becomes equal to or less than or becomes less than a predetermined threshold value *(column 8:lines 26-31, the condition indicating a necessary replacement is determined when consumable has reached a threshold)*.

Regarding claim 7, **Hayward et al. (US 6 798 997)** teach a print apparatus consumable purchase system*(column 1:lines 8-16)* comprising:

a print apparatus *(column 4:line 10 & fig 2, peripheral 10)* for printing on a print medium;

a display capable of displaying information concerning the print apparatus *(fig 3 & column 5:lines 24-39, display screen for print apparatus purchase system displays information concerning the peripheral 10)*;

and a controller for displaying a status screen (figs 3 & 4, & column 5:lines 23-24 & 62-63, a display screen is used to display screen associated with the status of the peripheral 10) for representing consumption degree of a consumable used with the print apparatus on the display (fig 3 & column 5:lines 23-39, the display includes an "X" indicator to indicate a status condition in peripheral 10, wherein, column 5:lines 6-7, status conditions in peripheral 10 indicate a need for consumable replacement, which, column 8:lines 26-31, is based off of consumable level. In Specification, Applicant defines a consumption degree of a consumable as an "ink remaining amount." Therefore the indicator "X" taught by **Hayward et al.** and shown on the display in fig 3 represents an ink/toner remaining amount because it represents a low level) and displaying in the status screen, an option calling button *(fig 4,*

BUY NOW button) for calling a plurality of options concerning the purchase mode of the consumable and for displaying at least one of the plurality of options, wherein, when the option calling button (BUY NOW button) is selected, the controller connects to a predetermined server through a network and acquires a screen displaying the plurality of options from the server and displays the screen on the display *(column 7:line 54 – column 8:line 12 and column 8:lines 54-63, when BUY NOW button is selected, a connection to server 40 is made, which provides a user screen with a plurality of modes: preferred distributor or not preferred distributor)*.

NOTE: Although not specifically mentioned, a controller is inherently included in the system taught by **Hayward et al.** Without a controller, the functions associated with display of information as outlined above would not be available in the print apparatus consumable purchase system. Therefore the teachings of **Hayward et al**. inherently included a controller as outline above.

Regarding claim 8, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 3, wherein when the option calling button is selected (*fig 3, status inquiry button)*, the controller displays the plurality of options on the display *(fig 4, BUY NOW & MAINTENANCE buttons)* and if any option is selected from among the plurality of options, the controller connects to a predetermined server through a network and acquires a screen corresponding to the selected option from the server and displays the screen on the display *(column 7:line 37 – column 8:line 12, either pushing of BUY NOW or MAINTENANCE button leads to connecting with server corresponding to either option)*.

Regarding claim 9, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 3, wherein the plurality of options concerning the purchase mode of the consumable are a plurality of options including a delivery purchase button for making a request for delivery purchase of the consumable and a store purchase button for calling dealer information concerning a dealer dealing in the consumable *(column 7:line 54 – column 8:line 12, the BUY NOW button provides both the request for delivery purchase of the consumable, and, column 8:lines 54-63, the called dealer information concerning a dealer, i.e. a retailer, that can be accessed by the user, who is prompted to confirm a dealer choice).*

Regarding claim 10, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 1, wherein if the delivery purchase button is selected, the controller acquires an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line12, a purchase order screen is acquired from a predetermined server 40 and displayed to the user).*

Regarding claim 11, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 9, wherein if the delivery purchase button is selected, the controller acquires an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line12, a purchase order screen is acquired from a predetermined server 40 and displayed to the user).*

Regarding claim 12, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 10, wherein if the delivery purchase button is selected, the controller acquires a screen containing one of a selling condition input field for entering selling condition information *(column 7:line 66 – column 8:line 2, the user enters the selling conditions)* and a selling condition disclosure field for disclosing selling condition information *(column 8:lines 9-11, selling conditions are disclosed on the screen)* as the ordering screen from a predetermined server through a network and displays the screen on the display.

Regarding claim 13, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 11, wherein if the delivery purchase button is selected, the controller acquires a screen containing one of a selling condition input field for entering selling condition information *(column 7:line 66 – column 8:line 2, the user enters the selling conditions)* and a selling condition disclosure field for disclosing selling condition information *(column 8:lines 9-11, selling conditions are disclosed on the screen)* as the ordering screen from a predetermined server through a network and displays the screen on the display.

Regarding claim 14, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 12, wherein at least one of in-stock and out-of-stock concerning the consumable and availability of empty vessel collection service is disclosed in the selling condition disclosure field *(column 8:lines 9-10, a confirmation display is sent to the user's display after, column 8:lines 49-53, confirming availability of inventory, which provides the in-stock disclosure)*.

Regarding claim 15, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 13, wherein at least one of in-stock and out-of-stock concerning the consumable and availability of empty vessel collection service is disclosed in the selling condition disclosure field *(column 8:lines 9-10, a confirmation display is sent to the user's display after, column 8:lines 49-53, confirming availability of inventory, which provides the in-stock disclosure)*.

Regarding claim 16, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 1, wherein if the delivery purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information as an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 25, user information concerning user location address is input in ordering screen that has been downloaded from predetermined server 40 after selecting the BUY NOW button)*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information)* so as to receive place-dependent selling condition information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of*

the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors) and displays the received place-dependent selling condition information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*.

Regarding claim 17, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 10, wherein if the delivery purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information as an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 25, user information concerning user location address is input in ordering screen that has been downloaded from predetermined server 40 after selecting the BUY NOW button)*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information)* so as to receive place-dependent selling condition information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* **Hayward et al.** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent selling condition information on the display *(column 7:line 67 – column 8:line 12, purchase order*

confirmation is displayed, which would indicate confirmation of delivery method acceptance information).

Regarding claim 18, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 11, wherein if the delivery purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information as an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 25, user information concerning user location address is input in ordering screen that has been downloaded from predetermined server 40 after selecting the BUY NOW button)*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information)* so as to receive place-dependent selling condition information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent selling condition information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information).*

Regarding claim 19, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 14, wherein if the delivery purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information as an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 25, user information concerning user location address is input in ordering screen that has been downloaded from predetermined server 40 after selecting the BUY NOW button)*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information)* so as to receive place-dependent selling condition information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent selling condition information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*.

Regarding claim 20, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 15, wherein if the delivery purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information as an ordering screen for ordering the consumable from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 25, user information concerning user location address is input in ordering screen that has been downloaded from predetermined server 40 after selecting the BUY NOW button)*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information)* so as to receive place-dependent selling condition information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent selling condition information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*.

Regarding claim 21, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 2, wherein if the store purchase button is selected, the controller acquires a screen for providing the dealer information from a predetermined server

through a network and displays the screen on the display *(column 7:line 54 – column 8:line 12 & column 8:lines 54-63, BUY NOW button, i.e. store purchase button, is selected and a display that provides dealer information is provided from a server 40 and for the user)*.

Regarding claim 22, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 10, wherein if the store purchase button is selected, the controller acquires a screen for providing the dealer information from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 12 & column 8:lines 54-63, BUY NOW button is selected and a display that provides dealer information is provided from a server 40 and for the user)*. Note, Examiner interprets the store purchase button to function as the BUY NOW button taught by **Hayward et al**.

Regarding claim 23, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in claim 11, wherein if the store purchase button is selected, the controller acquires a screen for providing the dealer information from a predetermined server through a network and displays the screen on the display *(column 7:line 54 – column 8:line 12 & column 8:lines 54-63, BUY NOW button, i.e. store purchase button, is selected and a display that provides dealer information is provided from a server 40 and for the user)*.

Regarding claim 27, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 2, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key

information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information).*

Regarding claim 28, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 10, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by*

user) so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* **Hayward et al.** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*. Note, Examiner interprets the store purchase button to function as the BUY NOW button taught by **Hayward et al**.

Regarding claim 29, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 11, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* **Hayward et al.** *the place-dependent selling*

condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors) and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*.

Regarding claim 30, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 16, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order*

confirmation is displayed, which would indicate confirmation of delivery method acceptance information).

Regarding claim 31, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 17, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*. Note, Examiner interprets the store purchase button to function as the BUY NOW button taught by **Hayward et al**.

Regarding claim 32, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 18, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* **Hayward et al.** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*.

Regarding claim 33, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 19, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the

display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*. Note, Examiner interprets the store purchase button to function as the BUY NOW button taught by **Hayward et al**.

Regarding claim 34, **Hayward et al. (US 6 798 997)** teach print apparatus consumable purchase system as claimed in claim 20, wherein if the store purchase button is selected *(fig 4 & column 7:line 54, BUY NOW button)*, the controller acquires a screen containing a retrieval key information input field for entering user's place retrieval key information *(column 8:lines 48-49, server receives user information that has been input by user* and displays the screen on the display *(column 7:lines 60-65, purchase order screen is provided to user))*, and the controller transmits the user's place retrieval key information entered in the retrieval key information input field to the server *(column 8:lines 48-49, server receives user information that has been input by user)* so as to receive place-dependent dealer information extracted by the server based on the

user's place retrieval key information *(column 8:lines 46-54, based on user information, server 40 processes the order by shipping directly to the user or forwarding the order for local delivery from a retailer local to the user. In the teachings of* ***Hayward et al.*** *the place-dependent selling condition is delivery method that is based on user location and that changes depending on the location of the shipper in relation to the user. Along with delivery method, a confirmation differs based on user location relative to local distributors)* and displays the received place-dependent dealer information on the display *(column 7:line 67 – column 8:line 12, purchase order confirmation is displayed, which would indicate confirmation of delivery method acceptance information)*.

Regarding claim 35, **Hayward et al. (US 6 798 997)** teach the print apparatus consumable purchase system as claimed in any one of claims 1 to 34, wherein the consumable is a coloring material cartridge *(fig 4, magenta ink level indicates that the consumable is a coloring material cartridge. Also see column 9:lines 40-42)*.

Regarding claim 36, **Hayward et al. (US 6 798 997)** teach a program for causing a computer to function as control means forming a part of a print apparatus consumable purchase system as claimed in any one of claims 1 to 34 *(column 4:lines 10-20, the program is installed on computer to interact with printer consumable purchasing system shown in fig 2)*.

Regarding claim 37, **Hayward et al. (US 6 798 997)** teach the program according to claim 36, wherein the consumable is a coloring material cartridge *(fig 4, magenta ink level indicates that the consumable is a coloring material cartridge. Also see column 9:lines 40-42).*

Regarding claim 38, **Hayward et al. (US 6 798 997)** teach a computer readable medium storing a program for causing a computer to function as control means forming a part of a print apparatus consumable purchase system as claimed in any one of claims 1 to 34 *(column 4:lines 10-20, the program is installed on computer to interact with printer consumable purchasing system shown in fig 2. The program is installed, which inherently requires a readable medium for storing the program).*

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (US 6 798 997) & Benjamin et al. (US 6 113 208).

Regarding claim 24, **Hayward et al.** teach the print apparatus consumable purchase system as claimed in claim 21, but do not teach wherein the dealer information contains at least one of address information and map information for locating a dealer place.

However, **Benjamin et al.** teach dealer information containing an address displayed to the user *(column 3:lines 42-45)*.

Accordingly, it would have been obvious to one skilled in the art at the time of the invention to have use the address information taught by **Benjamin et al.** in the provision of dealer information taught by **Hayward et al**. because it allows the user to locate suppliers nearby for more ordering flexibility.

Regarding claim 25, **Hayward et al.** teach the print apparatus consumable purchase system as claimed in claim 22, but do not teach wherein the dealer information contains at least one of address information and map information for locating a dealer place.

However, **Benjamin et al.** teach dealer information containing an address displayed to the user *(column 3:lines 42-45)*.

Accordingly, it would have been obvious to one skilled in the art at the time of the invention to have use the address information taught by **Benjamin et al.** in the provision of dealer information taught by **Hayward et al**. because it allows the user to locate suppliers nearby for more ordering flexibility.

Regarding claim 26, **Hayward et al.** teach the print apparatus consumable purchase system as claimed in claim 23, but do not teach wherein the dealer information contains at least one of address information and map information for locating a dealer place.

However, **Benjamin et al.** teach dealer information containing an address displayed to the user *(column 3:lines 42-45)*.

Accordingly, it would have been obvious to one skilled in the art at the time of the invention to have use the address information taught by **Benjamin et al.** in the provision of dealer information taught by **Hayward et al**. because it allows the user to locate suppliers nearby for more ordering flexibility.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle Pendergrass whose telephone number is **(571) 272-7438**. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on **(571) 272-7440**.

KING Y. POON
PRIMARY EXAMINER